

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

Federal National Mortgage Association

Plaintiff

vs.

John J. Butler III and Sandra E. Butler

Defendants

CIVIL ACTION NO: 1:19-cv-00218-JAW

MOTION TO REOPEN CASE

RE:

Wyman Road, Milbridge, ME 04658

Mortgage:

November 27, 2002

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NOW COMES the Plaintiff, Federal National Mortgage Association (“FNMA”), by and through undersigned counsel, and hereby moves this Court, for an Order to Re-open the case. As grounds therefor, Plaintiff states as follows:

1. Plaintiff filed a complaint on May 14, 2019.
2. On September 11, 2020, Defendant, John J. Butler, III, through counsel, Tom Cox, filed a Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) because he stated the subject property did not exceed the sum of \$75,000.00, which is necessary to establish diversity jurisdiction pursuant to 28 U.S.C. § 1332(a).
3. On December 4, 2020, Defendant, John J. Butler III, through counsel, filed an *Ex Parte* Motion to Re-open the Chapter 7 Bankruptcy, filed in the U.S. Bankruptcy Court, Eastern District of California (Sacramento), Petition #: 16-23904.
4. The case was originally filed on June 16, 2016, as a Chapter 13 case which converted to Chapter 7 on April 27, 2017.
5. Defendant, John J. Butler III’s counsel filed an amended Schedule A/B on January 6, 2021, listing the subject property with a value range of \$150,000.00 to \$200,000.00 which was not disclosed in the original filing.

6. The bankruptcy filed in U.S. Bankruptcy Court, Eastern District of California (Sacramento), Petition #: 16-23904 was terminated on April 12, 2021. *See* Exhibit A (copy of the Docket Sheet).
7. Effort to resolve the matter without reopening this litigation have not been successful to date.

WHEREFORE, the Plaintiff requests that this Honorable Court reopen the case.

Respectfully submitted this 24th day of May, 2022.

/s/ Reneau J. Longoria, Esq.
Reneau J. Longoria, Esq., Bar No. 5746
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CERTIFICATE OF SERVICE

I, Reneau J. Longoria, Esq., hereby certify that on this 24th day of May, 2022 I served a copy of the above document by electronic notification using the CM/ECF system and/or First Class Mail to the following:

/s/ Reneau J. Longoria, Esq.
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